

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

Tito Lemont Knox,	)	
	)	
Plaintiff,	)	C.A. No. 9:07-283-HMH-GCK
	)	
vs.	)	<b>OPINION &amp; ORDER</b>
	)	
United States of America;	)	
Reginald I. Lloyd, United States Attorney;	)	
Max B. Cauthen, III, Asst. United States	)	
Attorney; and Officer Rt. Graham	)	
	)	
Defendants.	)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge George C. Kosko, made in accordance with 28 U.S.C. § 636(b)(1) (West Supp. 2006) and Local Civil Rule 73.02 of the District of South Carolina.<sup>1</sup> Tito Lemont Knox (“Knox”) is detained on federal criminal charges and at the time of filing this action was detained at the Federal Medical Center in Butner, North Carolina. Knox, proceeding pro se, alleges various violations to his civil rights under 42 U.S.C. § 1983. In his Report and Recommendation, Magistrate Judge Kosko recommends dismissing the United States of America, Reginald I. Lloyd (“Lloyd”), and Max B. Cauthen (“Cauthen”) as parties to the case, leaving Officer Rt. Graham (“Graham”) as the only defendant for service of process.

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<sup>1</sup>The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Knox filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that the majority of Knox's objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report and Recommendation, or merely restate his claims. However, the court was able to glean one specific objection. In his objections, Knox admits that he cannot provide the court with facts in support of his claim. (Objections 1-2.) However, Knox states, "I requested and need a unredacted copy of my Grand Jury Mins., plus discovery information until these demands are met Mr., LIYOD and MS., CAUTHEN should not be seperated or dismissed before I receive a complete copy of this information." (Id. 2.)

Because Knox has failed to supply any facts in support of his § 1983 claim with regard to the United States of America, Lloyd, or Cauthen, these defendants are dismissed from the instant action without issuance and service of process. Therefore, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts Magistrate Judge Kosko's Report and Recommendation.

Therefore, it is

**ORDERED** that Knox's § 1983 claims against the United States of America, Lloyd, and Cauthen are dismissed without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
May 2, 2007

**NOTICE OF RIGHT TO APPEAL**

Plaintiff is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.